

1           IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE DISTRICT OF MARYLAND  
3                   NORTHERN DIVISION

          \* \* \*

4           EQUAL EMPLOYMENT                 : CIVIL ACTION  
5           OPPORTUNITY COMMISSION         :  
6                   Plaintiff                 :  
7                   and                         :  
8           KATHY C. KOCH                    :  
9           Intervenor/Plaintiff           :  
10    :  
11           -vs-                             :  
12    :  
13           LA WEIGHT LOSS                  :  
14                   Defendant                : NO. S-02-CV-648

          \* \* \*

11                   30(b)(6) deposition of LA  
12           WEIGHT LOSS CENTERS, through its  
13           designee, KAREN P. SIEGEL, held in the  
14           offices of EQUAL EMPLOYMENT OPPORTUNITY  
15           COMMISSION, The Bourse Building, 111  
16           South Independence Mall East, Suite 400,  
17           Philadelphia, Pennsylvania 19106, on  
18           Wednesday, August 28, 2002, beginning at  
19           10:00 a.m., before Nancy D. Ronayne, a  
20           Court Reporter and Notary Public in and  
21           for the Commonwealth of Pennsylvania.

22                   ESQUIRE DEPOSITION SERVICES  
23                   1880 John F. Kennedy Boulevard  
24                           15th Floor  
                  Philadelphia, Pennsylvania 19103  
                  215-988-9191

Page 2

1 APPEARANCES:  
 2 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
 3 BY: SUZANNE L. NYFELER, ESQUIRE  
 4 830 East Main Street  
 5 Suite 600  
 6 Richmond, Virginia 23219  
 7 (804) 771-2215  
 8 AND  
 9 KENNETH GOLSKI, ESQUIRE  
 10 The Federal Building  
 11 200 Granby Street  
 12 Suite 739  
 13 Norfolk, Virginia 23510  
 14 -- Representing the Plaintiff, Equal  
 15 Employment Opportunity Commission  
 16  
 17 OBER KALER, PC  
 18 BY: KELLY C. HOELZER, ESQUIRE  
 19 120 E. Baltimore Street  
 20 Baltimore, Maryland 21202-1643  
 21 (410) 347-7353  
 22 -- Representing the  
 23 Intervenor/Plaintiff  
 24  
 25 WOLF, BLOCK, SCHORR and SOLIS-COHEN, LLP  
 26 BY: DAVID E. LANDAU, ESQUIRE  
 27 DAVID L. GOLLIN, ESQUIRE  
 28 1650 Arch Street  
 29 22nd Floor  
 30 Philadelphia, Pennsylvania 19103  
 31 (215) 977-2052  
 32 -- Representing the Defendant

Page 4

## DEPOSITION SUPPORT INDEX

1  
 2  
 3 Direction to Witness Not to Answer  
 4 Page Line Page Line Page Line  
 5 (NONE)  
 6  
 7  
 8 Request for Production of Documents  
 9 Page Line Page Line Page Line  
 10 32 12 120 12 146 13  
 11 174 24 175 9  
 12  
 13  
 14 Stipulations  
 15 Page Line Page Line Page Line  
 16 5 2-9  
 17  
 18  
 19  
 20 Question Marked  
 21 Page Line Page Line Page Line  
 22 (NONE)  
 23  
 24

Page 3

## INDEX

1  
 2  
 3 WITNESS PAGE NO.  
 4 KAREN P. SIEGEL  
 5 Questioned by Ms. Nyfeler 5  
 6  
 7

## EXHIBITS

8  
 9  
 10 EXHIBIT NO. DESCRIPTION PAGE NO.  
 11 EEOC-1 Organizational Chart 137  
 12 EEOC-2 Call-in Form 155  
 13  
 14  
 15  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24

Page 5

\* \* \*

1  
 2 (It is hereby stipulated and  
 3 agreed by and among counsel for  
 4 the respective parties that  
 5 sealing, certification, and filing  
 6 are waived; and that all  
 7 objections, except as to the form  
 8 of the question, are reserved  
 9 until the time of trial.)  
 10

\* \* \*

11 KAREN P. SIEGEL, after having  
 12 been first duly sworn, was  
 13 examined and testified as follows:  
 14

\* \* \*

15 MR. LANDAU: We'd like to  
 16 read and sign.  
 17

\* \* \*

## EXAMINATION

\* \* \*

18  
 19  
 20 BY MS. NYFELER:

21 Q. Good morning, Ms. Siegel.  
 22 My name is Suzanne Nyfeler, I'm a trial  
 23 attorney for the Richmond area office for  
 24 the Equal Opportunity Commission. I'm

VOLUME II  
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
NORTHERN DIVISION

\* \* \*

EQUAL EMPLOYMENT OPPORTUNITY : CIVIL ACTION  
COMMISSION, :  
Plaintiff :  
and :  
KATHY C. KOCH, :  
Intervenor/Plaintiff :  
vs. :  
LA WEIGHT LOSS, :  
Defendant : NO. S-02-CV-648

\* \* \*

SEPTEMBER 19, 2002

\* \* \*

Continued Rule 30(b)(6) deposition of  
LA WEIGHT LOSS CENTERS, through its designee, KAREN  
P. SIEGEL, was held in the offices of the EQUAL  
EMPLOYMENT OPPORTUNITY COMMISSION, The Bourse  
Building, 111 South Independence Mall East, Suite  
400, Philadelphia, Pennsylvania 19106, beginning at  
10:05 a.m., before McKinley Wise, a Registered  
Professional Reporter and an approved Reporter of  
the United States District Court.

\* \* \*

ESQUIRE DEPOSITION SERVICES  
1880 John F. Kennedy Boulevard  
15th Floor  
Philadelphia, Pennsylvania 19103  
(215) 988-9191

Page 209

## 1 APPEARANCES:

2 SUZANNE L. NYFELER, ESQUIRE  
 3 EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
 4 830 East Main Street, Suite 600  
 5 Richmond, Virginia 23219  
 6 (804-771-2215)

7 and  
 8 KENNETH GOLSKI, ESQUIRE  
 9 The Federal Building, Suite 739  
 10 200 Granby Street  
 11 Norfolk, Virginia 23510

12 -- Representing Plaintiff Equal Employment  
 13 Opportunity Commission

14 KELLY C. HOELZER, ESQUIRE  
 15 OBER KALER, PC  
 16 120 East Baltimore Street  
 17 Baltimore, Maryland 21202-1643  
 18 (410-347-7353)

19 -- Representing Intervenor/Plaintiff

20 DAVID E. LANDAU, ESQUIRE  
 21 WOLF, BLOCK, SCHORR AND SOLIS-COHEN, LLP  
 22 1650 Arch Street, 22nd Floor  
 23 Philadelphia, Pennsylvania 19103  
 24 (215-977-2052)

-- Representing Defendant and the witness

## 19 ALSO PRESENT:

20 KATHY C. KOCH

21 \*\*\*

Page 211

## 1 DEPOSITION SUPPORT INDEX

2 Direction to Witness Not to Answer

3 Page Line Page Line

4 (None)

8 Request for Production of Documents

9 Page Line Page Line

11 (None)

14 Questions Marked

15 Page Line Page Line

17 (None)

19 \* \* \*

Page 210

## 1 INDEX

2 Testimony of KAREN P. SIEGEL

3 By Ms. Nyfeler 212

4 By Mr. Golski 278

6 \* \* \*

## 8 EXHIBITS

9 NO. DESCRIPTION PAGE

11 (None)

13 \* \* \*

Page 212

1 \* \* \*

2 KAREN P. SIEGEL, resumed.

3 \* \* \*

## 4 EXAMINATION

5 \* \* \*

6 BY MS. NYFELER:

7 Q. Good morning, Ms. Siegel. This is  
 8 Suzanne Nyfeler. I am, as I told you on August  
 9 28, trial attorney with the Richmond area office  
 10 of the Equal Employment Opportunity Commission.  
 11 This is a continuation of your deposition from  
 12 August 28 in which you have agreed to be the  
 13 corporate designee for LA Weight Loss Centers for  
 14 the notice of deposition that was issued by the  
 15 Equal Employment Opportunity Commission.

16 Is that your understanding as well?

17 A. Yes.

18 MS. NYFELER: And I'll just note  
 19 for the record that we have here today Mr.  
 20 Ken Golski from the Equal Employment  
 21 Opportunity Commission Norfolk area office,  
 22 and I believe your counsel, Mr. Landau, is  
 23 here as well. And we also have --

24 MS. HOELZER: Kelly Hoelzer, counsel

Page 213

1 for the plaintiff Kathy Koch, and Ms. Koch  
 2 is here as well.  
 3 I want to put on the record it is  
 4 not my intention to ask any questions.  
 5 BY MS. NYFELER:  
 6 Q. It is also my understanding that the  
 7 oath that was provided to you back on August 28 is  
 8 still in effect today. Is that your understanding  
 9 as well?  
 10 A. Yes.  
 11 Q. And the same rules just generally  
 12 apply. If I ask you a question that you don't  
 13 understand, please ask me to clarify that  
 14 question. If you answer the question I've asked  
 15 I'm going to assume that you're answering the  
 16 question that I asked. Is that correct?  
 17 A. Yes.  
 18 Q. And are you presently taking any  
 19 medications or under any conditions that would  
 20 impair your ability to testify here today?  
 21 A. No.  
 22 Q. I want to start with the area of  
 23 location management and just bring you back to the  
 24 organizational structure, as I understand it, at

Page 215

1 A. Yes.  
 2 Q. So is there a title general manager  
 3 at all?  
 4 A. At one time.  
 5 Q. Now, because my understanding of the  
 6 organizational structure with respect to location  
 7 management has changed and the organization was  
 8 formed in 1997, I want to break down with you year  
 9 by year how the organizational structure has  
 10 changed starting with 1997. And when I ask these  
 11 questions, I'm really restricting you strictly to  
 12 the location management as you and I have just  
 13 discussed with respect to the center managers all  
 14 up the line to the vice president of operations.  
 15 A. Okay.  
 16 Q. Okay. Now, starting in 1997, can  
 17 you explain for me the organizational structure  
 18 for the location management?  
 19 A. At that time we had center managers,  
 20 we had area managers, and from a title standpoint  
 21 regional might have been in '97, but late in '97.  
 22 And that was the extent of that layer, that  
 23 layering.  
 24 Q. What do you mean when you say "from

Page 214

1 LA Weight Loss with respect to management of the  
 2 locations and their hierarchy.  
 3 My understanding is that you have at  
 4 the location center managers; is that correct?  
 5 A. Yes.  
 6 Q. And that the center managers are  
 7 supervised by area managers; is that correct?  
 8 A. Yes.  
 9 Q. And the area managers are supervised  
 10 by regional managers?  
 11 A. Yes.  
 12 Q. And the regional managers are  
 13 supervised by divisional managers?  
 14 A. At one point. The structure has  
 15 changed, but yes, there were divisional managers.  
 16 And, in fact, as we sit here today, a divisional  
 17 layer has been readded.  
 18 Q. And the divisional managers are  
 19 supervised by general managers?  
 20 A. Vice presidents.  
 21 Q. So the divisional managers are  
 22 supervised by vice presidents?  
 23 A. Yes.  
 24 Q. The vice president of operations?

Page 216

1 a title standpoint"?  
 2 A. Well, I'm not sure whether the  
 3 regional manager was actually in place in '97 or  
 4 if it wasn't until the beginning of 1998.  
 5 Q. And who was above the area managers  
 6 in 1997?  
 7 A. The COO and the CEO would have been  
 8 above.  
 9 Q. Can you tell me approximately how  
 10 many center managers you had in 1997?  
 11 A. There would have been anywhere  
 12 from -- throughout the area, from 35 to, say, 50  
 13 maximum. As many centers as we had we would have  
 14 the center managers ideally.  
 15 Q. And approximately how many area  
 16 managers did you have in 1997?  
 17 A. So, again, anywhere from maybe five  
 18 to eight.  
 19 Q. Was each area manager responsible  
 20 for overseeing approximately five centers?  
 21 A. Anywhere from, say, three to five.  
 22 Q. And so then you didn't -- you either  
 23 did not have regional managers -- you might have  
 24 had one towards the end of 1997; correct? Then